



Dated: May 02, 2013
The following is SO ORDERED:


David S. Kennedy
UNITED STATES CHIEF BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

In re

Case No. 13-24729-K

“Involuntary Bankruptcy Against the Court”

**SUA SPONTE ORDER SUMMARILY DISMISSING
“INVOLUNTARY BANKRUPTCY AGAINST THE COURT”**

It appears to the court, on its own initiative, that Andrew Lee Jamison and Edward Darrell Becton, purported petitioning creditors under 11 U.S.C. § 303(b), have filed a document labeled “Involuntary Bankruptcy Against the Court,” along with other associated/related documents. The court interprets these documents as being in the nature of a petition commencing an involuntary § 303(a) bankruptcy case against the “court.”

The intent and purpose of these documents are unclear, as the documents are filed “* * *Against The Court,” without specifically identifying the “court.” Regardless, since 11 U.S.C. § 303(a) provides that an involuntary bankruptcy case under the Bankruptcy Code may be commenced only under chapter 7 or 11 and only against a “person” under § 303(a), as statutorily defined in section 101(41), this case should be summarily dismissed.¹ Simply put, the “court” is not an entity subject to an involuntary petition under

¹This court notes that on July 10, 1984, Miscellaneous Order No. 84-30 was entered in the United States District Court for the Western District of Tennessee pursuant to 28 U.S.C. § 157(a) providing that any and all cases under title 11 and any or all proceedings arising under title 11 or arising in or related to a case under title 11 shall be referred to the bankruptcy judges for this district.

chapter 7 or 11 of the Bankruptcy Code.

The Bankruptcy Clerk is directed to provide notice of entry of this sua sponte order and attachments to each of the Western District of Tennessee Bankruptcy Judges; Chief District Judge Jon P. McCalla; District Judge S. Thomas Anderson; District Judge John T. Fowlkes; Tom Gould, Clerk of the United States District Court for the Western District of Tennessee; Jed G. Weintraub, Clerk of the United States Bankruptcy Court; Rugena Bivins, Deputy in Charge of the Eastern Division of the Tennessee Western Bankruptcy Court; Dale Erwin, Chief Bankruptcy Court Security Officer; Christopher Crozier, United States Marshal in Charge of Judicial Security, and the United States Trustee and the Assistant United States Trustee for Region 8; Edward L. Stanton, III, United States Attorney for the Western District of Tennessee; and Christopher Cotten, Assistant United States Attorney. No return addresses were provided by the two individuals responsible for filing these documents; therefore, no notice can be provided them at this time.